

## EXHIBIT 1

### DECLARATION OF NICOLE WADE

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

NICOLE JENNINGS WADE,  
JONATHAN D. GRUNBERG, and  
G. TAYLOR WILSON,

Plaintiffs,

v.

L. LIN WOOD,

Defendant.

Case No. 1:22-cv-1073-MLB

**DECLARATION OF NICOLE JENNINGS WADE**

I, Nicole Jennings Wade, declare as follows:

1. I am one of the plaintiffs in this action. I have personal knowledge of the facts set forth in this declaration, am over 18 years of age, and am otherwise competent to make this declaration.

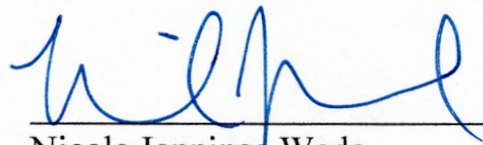
2. I submit this declaration in support of Plaintiffs' Emergency Motion to Consider on an Emergency Basis Plaintiffs' Motion for Supersedeas Bond.

3. Attached hereto as Exhibit A is a true and correct copy of the Title to Real Estate (General Warranty Deed) from The Tomotley Crew, LLC to KKMC Investments, LLC, recorded with the Beaufort County, South Carolina, Register of

Deeds on or about September 24, 2024, at Book 4369, Pages 1445-1449, which I obtained online from the website of the Beaufort County Register of Deeds at <https://rod.beaufortcountysc.gov/BrowserViewDMP/>.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing testimony is true and correct to the best of my personal knowledge.

Executed this 24<sup>th</sup> day of September, 2024, in Atlanta, Georgia.

  
\_\_\_\_\_  
Nicole Jennings Wade

## EXHIBIT A

### SALE OF HUSPAH PLANTATION

BEAUFORT COUNTY SC - ROD  
BK 4369 Pgs 1445-1449  
2024042156 RED  
09/24/2024 11:07:13 AM  
RCPT# 1182098  
RECORDING FEES 15.00  
County Tax County 4,400.00  
State Tax State 10,400.00

RETURN ORIGINAL DEED TO:  
Smith Cox & Associates, LLP  
160 East Bay Street, Suite 201  
Charleston, SC 29401

STATE OF SOUTH CAROLINA        )  
  )  
COUNTY OF   BEAUFORT        )    TITLE TO REAL ESTATE  
  )    (GENERAL WARRANTY DEED)

**KNOW ALL MEN BY THESE PRESENTS**, that **The Tomotley Crew, LLC**, a **South Carolina limited liability company (Grantor)**, in the State aforesaid, for and in consideration of the sum of **Four Million and 00/100 (\$4,000,000.00) Dollars**, to it in hand paid at and before the sealing of these presents by **KKMC Investments, LLC**, a **South Carolina limited liability company (Grantee)**, in the State and County aforesaid, the receipt and sufficiency whereof which is hereby expressly acknowledged, have granted, bargained, sold, transferred, conveyed, and released, and by these presents do hereby grant, bargain, sell, transfer, convey, and release unto the said **Grantee, KKMC Investments, LLC, a South Carolina limited liability company**, its Successors and Assigns forever, the following described real estate, to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO FOR LEGAL DESCRIPTION**

**TOGETHER** with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said premises belonging or in anywise incident or appertaining.

**TO HAVE AND TO HOLD**, all and singular, the said premises before mentioned unto the said **Grantee, KKMC Investments, LLC, a South Carolina limited liability company**, its Successors and Assigns forever in fee simple.

**AND** it does hereby bind itself and its Successors and Assigns to warrant and forever defend, all and singular, the said premises unto the said **Grantee, KKMC Investments, LLC, a South Carolina limited liability company**, its Successors and Assigns, against it and its Successors and Assigns, and all persons whomsoever lawfully claiming, or to claim, the same or any part thereof.

**WITNESS** the Hand and Seal of the undersigned Grantor this the 20th day of September in the year of our Lord Two Thousand Twenty Four (2024).

Signed, Sealed And Delivered  
In The Presence Of:

**The Tomotley Crew, LLC, a South  
Carolina limited liability company  
(Grantor)**

*Dawn S. Fraser*  
Witness Number One

*Lucian Lincoln Wood, Jr.*  
By: **Lucian Lincoln Wood, Jr.**  
Its: **Sole Member**

*[Signature]*  
Witness Number Two

**STATE OF SOUTH CAROLINA )  
)  
COUNTY OF COLLETON )**

**ACKNOWLEDGMENT**

I, the undersigned Notary Public, do hereby certify that **The Tomotley Crew, LLC, a South Carolina limited liability company, by and through Lucian Lincoln Wood, Jr., its Sole Member**, personally appeared before me this day and acknowledged the due execution of the foregoing Deed; and who is personally known to me, or who has proved to me on the basis of satisfactory evidence to be the person who executed the foregoing Deed.

Witness my hand and official seal this the 20th day of September, 2024.

Sworn to before me this  
20th day of September, 2024

*[Signature]* (Seal)

Signature of Notary Public

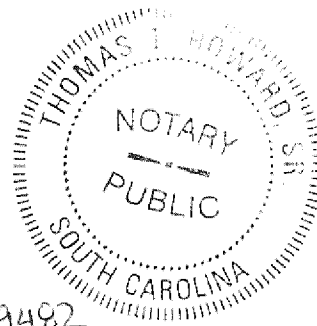
Printed Name: Thomas I. Howard, Sr.

Notary Public for the State of South Carolina

My Commission Expires: 6/15/2026

**GRANTEE'S ADDRESS:**

916 Middle Street  
Sullivan's Island SC 29482



**Deed Prepared By:**

Thomas I. Howard  
Attorney at Law  
P. O. Box 693  
Walterboro, SC 29488  
Attorney File No: 24-10274.abs

**Exhibit "A"**  
**Legal Description**

All that certain piece, parcel or tract of Huspah Plantation, with all improvements thereon, situate, lying and being in Sheldon Township, Beaufort County, South Carolina, East of the Seaboard Coastline Railway containing 313.55 acres, more or less, and more particularly described as commencing at a point on the Eastern margin of the right-of-way of the Seaboard Coastline Railway and the intersection of the Frazier Landing Road which is the Southwestern corner of a plantation sometimes designated as Mann Fripp and running thence along the Southern margin of the Frazier Landing Road to the waters and marshes of Huspah Creek, thence in a general Easterly, Southerly and Easterly direction along the high water mark of Huspah Creek and its tributaries, to the Southwestern intersection of the property line of Huspah Plantation with the Eastern margin of the right-of-way of the Seaboard Coastline Railway Company, thence in a Northerly direction along the Eastern margin of the right-of-way of said Seaboard Coastline Railway Company to the point of beginning.

AND ALSO, ALL right, title, and interest in and to the marshlands lying between the high water mark and the low water mark of Huspah Creek adjacent to the aforesaid property. Any warranties contained in the within instrument shall not apply to the above described marshlands.

AND ALSO, ALL right, title, and interest in and to all islands adjoining the said Plantation and more particularly the large island due South of Huspah Planation, which plantation is shown on Map No. 26, Sheldon Township, County of Beaufort, as Parcel 2C.

Any warranties contained in the within instrument shall not apply to the above described islands.

**SAVE AND EXCEPTING** from the above, a parcel of 4.5 acres, more or less, conveyed to Claude Ihly by deed from Laura DeLamater Benedict dated May 17, 1973, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Book 210 at Page 375.

**SAVE AND EXCEPTING** that certain parcel containing 3.75 acres, more or less, conveyed to Claude Ihly by deed of Elaine Jones dated April 24, 1979, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Book 280 at Page 895.

**SUBJECT TO** that certain right-of-way grant to South Carolina Electric & Gas Company dated July 29, 1988, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 508 at Page 1377.

Subject to all applicable covenants, conditions, restrictions, easements and rights-of-way of record in the Register of Deeds for Beaufort County, South Carolina.

Subject to that certain Conservation Easement to Wetlands America Trust, Inc. dated December 30, 1997, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, on December 30, 1997, in Book 1001 at Page 2400 and that certain Amendment to Conservation Easement to Wetlands America Trust, Inc. dated March 18, 1998, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina on May 18, 1998, in Book 1043 at Page 1598.

This property is subject to any and all further applicable Covenants, Conditions, Restrictions, Easements and Rights-of-Way filed of record in the Office of the Register of Deeds for Beaufort County, South Carolina, and any visible encroachments or projections.

This being the same property conveyed to The Tomotley Crew, LLC, a South Carolina Limited Liability Company by deed dated December 1, 2020 from Christina R. Bates-Jones, Trustee, The Christina R. Bates-Jones Revocable Trust dated April 9, 2012. Said deed being recorded on December 3, 2020 with the Beaufort County Register of Deeds Office in Record Book 3942, at Page 1426.

TMS No.: R700 026 000 002C 0000



STATE OF SOUTH CAROLINA	)	AFFIDAVIT FOR TAXABLE OR
COUNTY OF BEAUFORT	)	EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this Affidavit and I understand such information.
2. The property being transferred located at 21 Huspa Plantation Road, Seabrook, SC 29940, bearing Beaufort County Tax Map Number R700-026-000-002C, was transferred by The Tomotley Crew, LLC to KKMC Investments, LLC on 23rd day of September, 2024.

3. Check one of the following: **The Deed is**

- (a)   X   subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
- (b)        subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
- (c)        EXEMPT from the deed recording fee because (See Information section of Affidavit):  
(If exempt, skip items 4-7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty?

Check Yes        or No       .

4. Check one of the following if either item 3(a) or item 3(b) above has been checked.

- (a)   X   The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of 4,000,000.00.
- (b)        The fee is computed on the fair market value of the realty which is \$                     .
- (c)        The fee is computed on the fair market value of the realty as established for property tax purposes which is \$                     .

5. Check YES        or NO   X   to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "Yes," the amount of the outstanding balance of this lien or encumbrance is \$                     .

6. The deed recording fee is computed as follows:

- (a) Place the amount listed in item 4 above here:                     4,000,000.00
- (b) Place the amount listed in item 5 above here:                     0.00
- (If no amount is listed, place zero here.)
- (c) Subtract Line 6(b) from Line 6(a) and place result here:                     4,000,000.00

7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: \$14,800.00

8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as **Legal Representative**.

9. I further understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

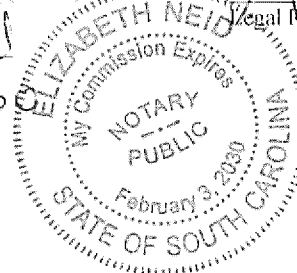
SWORN to before me this  
23 day of September 2024.

Elizabeth Neid  
Notary Public for South Carolina

PRINT NAME OF NOTARY PUBLIC

My commission expires: 2/3/2030

(SEAL)



                      
Legal Representative